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FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )  
 )  
Administration of the North ) CC Docket No. 92-237  
American Numbering Plan )

REPLY COMMENTS OF  
TELOCATOR, THE PERSONAL COMMUNICATIONS INDUSTRY ASSOCIATION

Telocator, the Personal Communications Industry Association ("Telocator"), by its attorneys, respectfully submits its reply comments in the above-captioned proceeding.

I. INTRODUCTION

Telocator addressed two broad issues in its opening comments. First, it suggested means of making the NANP administration process more open and equitable. Second, it urged the Commission to state that all mobile service providers are eligible to receive PCS N00-NXX codes and future non-geographic numbers on a non-discriminatory basis.<sup>1</sup> As discussed herein, the comments of other interested parties strongly support Telocator's recommendations.

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<sup>1</sup> Telocator also explained that local number portability raises unique and complex issues in the mobile services context, which are beyond the scope of this proceeding. Telocator at 11 n.11. Nothing in the record contradicts Telocator's analysis.

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II. THE PROCESS FOR DEVELOPING NUMBERING POLICY AND ASSIGNING  
NUMBERING RESOURCES SHOULD BE  
FUNDAMENTALLY REFORMED.

A. There Is Substantial Agreement on the  
Need for Change.

The opening comments express nearly universal support for prompt, substantial reorganization of the NANP administration process. Mobile carriers,<sup>2</sup> long distance carriers,<sup>3</sup> competitive access providers,<sup>4</sup> information service providers,<sup>5</sup> users,<sup>6</sup> and state regulators<sup>7</sup> all supported transferring NANP policy-making and implementation functions from Bellcore and the LECs to another entity or entities. Several LECs also supported, or at least did not object to, such a change,<sup>8</sup> and almost all of those that sought to keep the NANPA

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<sup>2</sup> See Comments of Cellular Telecommunications Industry Association ("CTIA"); McCaw; Metrocall of Delaware ("Metrocall"); Telocator; Vanguard Cellular.

<sup>3</sup> See Comments of Allnet; AT&T; MCI; Sprint.

<sup>4</sup> See Comments of MFS; Teleport.

<sup>5</sup> See Comments of Cox Enterprises ("Cox"); Information Industry Association; National Cable Television Association ("NCTA").

<sup>6</sup> See Comments of Ad Hoc Telecommunications Users Committee ("Ad Hoc"); Aeronautical Radio, Inc. ("ARINC").

<sup>7</sup> See Comments of NARUC.

<sup>8</sup> See Comments of Bell Atlantic at 1; BellSouth at 6; United States Telephone Association ("USTA") at 4-9.

function within Bellcore acknowledged a need to make the administration process more open and accountable.<sup>9</sup>

The record reveals three fundamental flaws with the current administration process. First, the central role played by Bellcore and the LECs creates significant conflict of interest concerns.<sup>10</sup> Second, the process is not open and responsive to all affected industry segments.<sup>11</sup> Third, the multitude of forums considering NANP policy issues severely strains the resources of all industry participants.<sup>12</sup>

Against this background, the Commission must reject the recommendations of some LECs that it simply maintain the status quo,<sup>13</sup> create an advisory committee that would make non-binding

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<sup>9</sup> See Comments of Centel at 2-3; Cincinnati Bell at 4; GTE at 5-6; National Telephone Cooperative Association at 1; North Pittsburgh Telephone Company at 2; Pacific Telesis ("PacTel") at 4-6; Southern New England Telephone Company ("SNET") at 3; Southwestern Bell at 5.

<sup>10</sup> See, Ad Hoc at 12-13; ARINC at 2; Allnet at 3; Bell Atlantic at 1; BellSouth at 5-6; Cox at 3, 5; IIA at 3; McCaw at 2-3; MCI at 2-3; Metrocall at 3; MFS at 3; NARUC at 4; MCTA at 2; SNET at 3; Sprint at 2; Telco Planning, Inc. at 1; Teleport at 2; Telocator at 2; Vanguard at 2. The LEC commenters emphasized that they consider these concerns unjustified.

<sup>11</sup> See Ad Hoc at 15-27; AT&T at 4-5; McCaw at 2-4; MCI at 3-13; National Telephone Cooperative Association at 1; Sprint at 3; Telco Planning, Inc. at 2; Teleport at 3-4.

<sup>12</sup> See Ad Hoc at 13; BellSouth at 12; CTIA at 2; Cox at 6-7; McCaw at 7; MCI at 15-16; Southwestern Bell at 5; Sprint at 5; Telocator at 4-5.

<sup>13</sup> Ameritech at 2; Cincinnati Bell at 2-3.

recommendations to Bellcore in its role as NANPA,<sup>14</sup> or require structural separation of the NANPA function within Bellcore.<sup>15</sup> Maintaining the current system intact would turn a blind eye toward problems that have undermined industry trust in the administration and assignment process. Establishment of an advisory committee, while promoting greater representation and eliminating the multitude of existing forums, would not ameliorate the conflict of interest concerns felt by many non-LECs.<sup>16</sup> And structural separation, while possibly assuaging concerns about the potential for improper information flow, would not change the perception of many industry participants that the NANPA's ability to reach independent policy positions might be compromised by its ownership by users of numbering resources.

In short, the basic defects in the current system, coupled with the broad support for meaningful change, compel a fundamental reorganization of the process by which NANP policy is developed and implemented. As discussed below, Telocator respectfully submits that the model proposed in its opening comments provides a realistic means for improving the NANP administration.

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<sup>14</sup> Bellcore at 8; Pacific Telesis at 4; SNET at 3; Southwestern Bell at 5.

<sup>15</sup> GTE at 11; SNET at 3.

<sup>16</sup> See Sprint at 4 (an Advisory Council would not go far enough because it would not be binding on Bellcore).

B. The Concepts and Structure of Telocator's Model Enjoy Broad Support.

In its opening comments, Telocator proposed a two-part model for reforming the NANP administration process. Under the model, all numbering policy issues would be consolidated in an NANP Policy Forum. This forum would be open to all interested parties and would be chaired by a member of the Commission's staff. It would be self-funding, and would operate under FCC-imposed deadlines to ensure timely resolution of issues. The Forum would provide advance notice of issues to all participants, in order to assure due process, and would develop policy using the consensus approach employed by standards bodies. This approach requires that all views be considered, that a concerted effort be made to resolve differences, and that final positions reflect substantial agreement by directly and materially affected interest groups.<sup>17</sup> Any issues on which affected industry segments could not reach consensus would be referred to the FCC for expedited settlement using alternative dispute resolution procedures.

The Policy Forum, acting under the FCC's auspices, would select a new NANP Administrator to discharge ministerial responsibilities. The Administrator's duties would include assignment of NXX codes and other NANP resources, compilation and dissemination of the Central Office Code Utilization Survey, and administration of the Local Exchange Routing Guide and other numbering-related data bases. To ensure that the Administration

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<sup>17</sup> See PageNet at 5.

is technically proficient and will provide service in a cost-effective, responsive manner, it would be selected through a competitive bidding process. Bellcore and the LECs could work with the new Administrator during a transition period to assure a successful transfer of expertise.<sup>18</sup>

The precepts underlying Telocator's approach and the model itself were echoed by many interested parties. Numerous commenters, for example, urged the Commission to reorganize the NANP administration into separate policy-making and policy-implementing components.<sup>19</sup> Many parties emphasized the need to place all policy issues in a single forum,<sup>20</sup> and to make that

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<sup>18</sup> Bellcore itself has acknowledged that other entities can effectively perform the NANPA role. Bellcore at 1.

<sup>19</sup> See AT&T at 5-6 (proposing a World Zone 1 Numbering Forum to resolve policy issues and a NANP Administration and Implementation Group to administer number assignments); BellSouth at 8-9, 11-12 (proposing that advisory forum make policy recommendations to FCC, NANP administrator assign NANP resources); CTIA at 3-5 (proposing a NANP Policy Group to develop policy, Bellcore or a new entity to perform ministerial functions); Cox at 2, 8-10 (proposing a NECA-like body to make policy recommendations to the FCC and carry out FCC instructions, neutral entity to perform ministerial tasks); McCaw at 10-16 (endorsing Telocator model); MCI at 19-23 (proposing an NANP Council to make policy recommendations to the FCC and an NANP Registrar to make number assignments); Metrocall at 5-6 (proposing an NANP Policy Board to decide policy and a separate administrative entity to perform ministerial functions); MFS at 3 (administration includes separate policy and management components); NCTA at 3-4 (proposing that the FCC set broad numbering and dialing policy, an Advisory Council implement FCC policies and advise FCC, and Bellcore execute the policies).

<sup>20</sup> See, e.g., note 11, supra.

forum as open as possible.<sup>21</sup> Several proposals envisioned a role for the FCC in helping to ensure prompt decision-making and resolve contentious issues.<sup>22</sup> And there was broad support for placing ministerial administration functions, including CO code assignments, into an independent, centralized entity.<sup>23</sup>

In short, then, the two-part reorganization proposed by Telocator is a realistic and widely supported solution to concerns regarding the NANP administration process. As discussed in the next section, the Commission should not delay implementation of this approach.

C. There Is No Basis for Postponing Fundamental Reform of the NANP Administration Process.

Several LECs assert that the NANP administration function should remain with Bellcore until 1996, in order to avoid interfering with the implementation of expanded FGD CIC codes and INPAs.<sup>24</sup> These parties simply claim that such interference would occur, however, without explaining why. Given the critical numbering policy decisions that must be made in the next three

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<sup>21</sup> See, e.g., note 10, supra.

<sup>22</sup> Ad Hoc at 30; AT&T at 7; BellSouth at 11; Cox at 10; IIA at 3; McCaw at 10-11; MCI at 20-21; Metrocall at 6; NCTA at 4; North Pittsburgh Telephone Company at 3; SNET at 4; Sprint at 8-9; Teleport at 6.

<sup>23</sup> Ad Hoc at 15; Allnet at 4 (proposing FCC); AT&T at 6; BellSouth at 8-9; McCaw at 12; MCI at 19, 22; Metrocall at 5; MFS at 5-6 (proposing NTIA); Vanguard at 4.

<sup>24</sup> Ameritech at 2, 10; Bell Atlantic at 1; Cincinnati Bell at 4; GTE at 7; SNET at 2; Southwestern Bell at 4; USTA at 9.

years, a far more compelling demonstration must be made to justify preserving the status quo.

The current system for defining and implementing numbering policy is too flawed to postpone corrective measures. The LECs' speculative fears of interference cannot override the urgent need to transfer CO code assignment duties from the LECs, reform the fragmented and factious policy development process, ensure the adoption of equitable assignment guidelines for geographic and non-geographic numbers, devise a reasonable long-term numbering plan, and -- most fundamentally -- restore trust in the NANP administration function.

In any event, the LECs' concerns are unfounded, because Telocator's proposal would not interfere with plans to introduce expanded CIC codes and INPAs. Unresolved policy issues, such as adoption of INPA assignment guidelines, can readily be assumed by the NANP Policy Council. There would be no loss of expertise, since affected parties likely would send the same representatives to the Policy Council that they now send to disparate working groups and forums. Moreover, because the Policy Council would operate under the FCC's direct oversight, the policy development process almost certainly will be less contentious and more efficient than under the current system. Indeed, given the importance of these new resources, it would be far better public policy to have implementation issues decided by a representative body with direct participation by regulators, than industry



forums which will inevitably focus on the particular interests of the industry segments which organized them.

Finally, with respect to assignment of these codes, the new NANP Administrator should be just as effective -- and much less subject to the perception of bias -- than the current NANPA would be. As noted above, Bellcore certainly would be willing to work closely with the new Administrator during a transition period to assure a smooth transfer of expertise. Consequently, there is no reason to believe that reform of the NANPA along the lines suggested by Telocator would complicate the implementation of these new numbering resources.

III. THE COMMISSION SHOULD PROMPTLY STATE THAT ALL MOBILE SERVICE PROVIDERS ARE ELIGIBLE TO OBTAIN EXISTING AND FUTURE NON-GEOGRAPHIC NUMBERS ON A NON-DISCRIMINATORY BASIS.

In its opening comments, Telocator explained that there is debate in the industry regarding whether cellular and paging carriers should be permitted to obtain PCS N00-NXX codes and non-geographic INPAs. To expedite resolution of that debate and adoption of equitable assignment guidelines, Telocator urged the Commission to state that all mobile service providers are eligible to request and obtain such codes on a non-discriminatory basis.

Telocator is heartened by the broad support for its position in the record.<sup>25</sup> Telocator also is pleased that NANPA discontinued its classification of cellular and paging as

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<sup>25</sup> McCaw at 17-18; PacTel at 11-12; SNET at 7; Southwestern Bell at 12 n.16.

geographic services in the second edition of its draft long-term numbering plan.<sup>26</sup> Nonetheless, ICCF still has not adopted PCS N00-NXX guidelines (let alone INPA assignment guidelines) that assure eligibility for cellular and paging carriers. Consequently, the need remains for the Commission to issue the requested statement.

#### IV. CONCLUSION

The Commission should adopt the model recommended in Telocator's opening comments for reforming the NANP administration process. It also should promptly state that all mobile service providers are eligible to receive PCS N00-NXX codes and future non-geographic resources on a non-discriminatory basis.

Respectfully submitted,

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<sup>26</sup> North American Numbering Plan Administrator's Proposal on the Future of Numbering in World Zone 1, Second Edition, at 17. NANPA did not explicitly state that cellular and paging services may, at the provider's option, be considered non-geographic. Based on meetings with NANPA officials, however, Telocator understands that this is NANPA's intent.